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REMARKS

Election/Restrictions

The Office Action required a restriction to one of one of the following patentably distinct inventions:

Group I: golf bag with strap attachment (Claims 32-39), and

Group II: golf bag with pivotal rack (Claims 1-31).

Applicant hereby elects to prosecute the invention of **Group II**, but traverses, in part, the Examiner's restriction requirement.

Applicant respectfully submits that Claims 32-35, directed to a golf bag with a pivotal rack read on the invention of Group II, and thus, should be examined with claims 1-31. Specifically, Claims 32-35 are linking claims, and, as such, should be examined with the elected invention. See MPEP § 809. Thus the restriction requirement was defective at least for failure to identify claims 32-35 as linking claims, and include same in each of Group I and Group II. In view of the foregoing, Applicant respectfully requests that the Examiner reconsider the restriction requirement, and, thus, examine pending claims 1-35.

The Office Action further required an election between the following:

Set I: bag structure

Group 1: the bag shown in Figs. 1-2B,

Group 2: the bag shown in Fig. 3-3B,

Group 3: the bag shown in Fig. 6,

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Group 4: the bag shown in Fig. 7,

Set II: the rack structure

Group a: the rack shown in Fig. 1,

Group b: the rack shown in Fig. 4.

Applicant hereby elects **Group 1 of Set I** and **Group a of Set II** but traverses, in part, Examiner's further restriction requirement.

Applicant respectfully submits that the restriction requirement is defective at least because the bag shown in Figs. 1-2B is the same bag as shown in Figs. 3-3B. Applicant respectfully submits that Figs. 1-2B illustrate a side view of a golf bag according to a preferred embodiment of the invention, and that Figs. 3-3B illustrate a front view of the same preferred embodiment of the invention of Figs. 1-2B, as supported by the face of the Figs. themselves, as well as by the brief description of the drawings. Thus, to the extent that Figs. 1-3B illustrate different views of the same embodiment, restriction between the bag as shown in Figs. 1-2B and in Figs. 3-3B is inappropriate, not to mention impossible. Applicant respectfully requests, therefore, that the Examiner withdraw the requirement for election between Group 1 and Group 2, each of Set I. Applicant respectfully submits that claims 1-35 read on the elected embodiment, shown in Figs. 1-3B, and, therefore, respectfully requests examination of pending claims 1-35.

Applicant expressly reserves all rights with respect to any unelected groups, species, and/or sub-species, including the right to file divisional applications for same.

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CONCLUSION

If Examiner has any questions regarding this document, Applicant asks that Examiner contact the undersigned immediately by telephone.

Respectfully submitted,



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